

JFW \$



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/669,890	09/25/2003	Ulrich Steinseifer	043508-5003-01✓

CONFIRMATION NO. 2239

FORMALITIES LETTER



OC000000011581317

009629

MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

Date Mailed: 12/30/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/02/2004 HADELR1 00000139 500310 10669890

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 385.00 DA
02 FC:2051 65.00 DA
03 FC:2201 43.00 DA
04 FC:2202 36.00 DA

Filing Date Granted

Docketed 1-2-04 Attorney MTR/PAC/RS
Case 43508-500301
Due Date 2-29-04
Action missing parts

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$158 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1058** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

• Total additional claim fee(s) for this application is \$158

- \$86 for 1 independent claims over 3.
- \$72 for 4 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



PATENT

ATTORNEY DOCKET NO. 043508-5003-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ulrich Steinseifer)
U.S. Application No.: 10/669,890) Confirmation No.: 2239
Filed: September 25, 2003) Group Art Unit: 3731
For: MECHANICAL HEART) Examiner: unassigned
VALVE)

BOX MISSING PARTS

Commissioner of Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed December 30, 2003. A copy of the Notice To File Missing Parts of Nonprovisional Application is enclosed.

In response to the Notice to File Missing Parts of Nonprovisional Application, Applicant respectfully requests that this application be processed and retained, and Applicant files the requisite retention fee of \$130.00 pursuant to 37 C.F.R. § 1.21(l).

2. Declaration Or Oath

- ☐ No Declaration or Oath was filed. Enclosed is an executed Declaration.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

08/02/2004 WABDELRI 00000139 500310 10669890

05 FC:8025 130.00 DA
06 FC:2255 1005.00 DA

4. Small Entity Status

☒ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input checked="" type="checkbox"/> five months	\$2010.00	\$1005.00

Extension of time fee due with this Response: \$1005.00. If an additional extension of time is required, please consider this a Petition therefor.

☐ Applicants believe that no extension of time is required. However, in the event Applicants have inadvertently overlooked the need for a petition and fee for extension of time, Applicants hereby petition for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

6. Assignment

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

7. Fee Calculation

			Basic Fee:	
			Patent Application—\$740.00	
			Design Application—\$330.00	\$740.00
	Number Filed	Number Extra	At A Rate Of	
Total Claims	24	4	\$18.00 each =	+\$
Independent Claims	4	1	\$84.00 each =	+\$
Multiple dependent claim(s), if any			\$280.00	+\$
Missing Parts Surcharge Fee			\$130.00	+\$
SUBTOTAL =				\$
Reduction by ½ for filing by a Small Entity				-\$
Fee for Application filed with a non-English Specification (37 C.F.R. §§ 1.17(i) and 1.52(d))			\$130.00	+
Fee for processing and retention of Application (37 C.F.R. §§ 1.21(i) and 1.53(d))			\$130.00	\$130.00
TOTAL FILING FEE =				\$

8. Fee Payment

The fees due are:

Processing and Retention Fee	\$130.00
Five month Extension of Time Fee	\$1005.00

Total Fee Due	\$1135.00
----------------------	------------------

[X] The Commissioner is hereby authorized to charge **\$1135.00** to Deposit Account No. 50-0310.

☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

9. Additional papers enclosed.

<input type="checkbox"/>	Preliminary Amendment
<input type="checkbox"/>	Submission of Drawings with __ sheets of drawings; __ figures
<input type="checkbox"/>	Claim for Priority
<input type="checkbox"/>	Certified copy of priority document
<input type="checkbox"/>	Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
<input type="checkbox"/>	PTO Form-1449 (no references provided)
<input type="checkbox"/>	Declaration of Biological Deposit

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 29, 2004

Mary Jane Boswell
Mary Jane Boswell
Registration No. 33,652

Customer No. 009629
MORGAN, LEWIS & BOCKIUS LLP
 1111 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 (202) 739-3000